

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

CLAUDE BOUDREAUX, ET AL.

CASE NO. 6:65-CV-11351

VERSUS

JUDGE ROBERT G. JAMES

**SCHOOL BOARD OF ST MARY PARISH,
ET AL.**

MAGISTRATE JUDGE WHITEHURST

ORDER

As set forth in the Memorandum Ruling issued on September 18, 2019 [Doc. No. 36], the Court finds this action should be formally recertified as a class action in accordance with Fed. R. Civ. P. 23(c). Accordingly, any party who wishes to address the requirements of Rule 23(c) may file a brief addressing same on or before **October 25, 2019**. No further briefing on class certification will be permitted, absent leave of court.

Additionally, counsel for the parties are **ORDERED** to meet (teleconference is permitted) on or before **October 28, 2019** for the purpose of creating a joint, proposed “Plan of Work,” designed to avoid unnecessary delay in the disposition of this matter.¹ The Plan of Work must comply with the following²:

1. The Plan of Work should have two sections. The first section shall include a schedule limiting the time for completion of discovery and setting final dates for filing dispositive motions. The schedule should reflect the parties’ best estimates (based on the information reasonably available to them) of the time needed for case development. Other matters that must be addressed in the first section of the Plan of Work include

¹ Desegregation decrees “are not intended to operate in perpetuity.” *Bd. of Educ. of Oklahoma City Pub. Sch., Indep. Sch. Dist. No. 89, Oklahoma Cty., Okl. v. Dowell*, 498 U.S. 237, 248 (1991). “Local control over the education of children allows citizens to participate in decisionmaking, and allows innovation so that school programs can fit local needs.” *Id.*

² An example of a Plan of Work issued in a desegregation case in 2015 can be found in *Theresa Thomas, et al. v. St. Martin Parish School Board, et al.*, No. 65-11314 (W.D.La.), ECF 86.

the following: deadlines for employing experts, taking depositions, and/or exchanging reports; and consideration of the matters set forth in Fed. R. Civ. P. 26(f).

2. The second section of the Plan of Work should explain areas of disagreement and/or issues, if any, regarding the information set forth in the first section of the Plan of Work.
3. On or before **November 11, 2019**, counsel for Plaintiffs must file the joint, proposed Plan of Work into the record.³
4. Counsel may not file separate proposed plans of work.

THUS DONE in Chambers on this 30th day of September, 2019.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE

³ The filing may be entered electronically using the “Motions” category and selecting the “Proposed Plan of Work” event.